

von BORSTEL et al. - Appln. No. 08/460,186  
February 26, 2009

### **REMARKS/ARGUMENTS**

Reconsideration is requested. Claims 1, 3, 4, 18, 20, 22, 24 and 25 are pending.

#### **I. THE 35 U.S.C. §112, FIRST PARAGRAPH, REJECTIONS**

Claim 11 stands rejected under 35 U.S.C. §112, first paragraph, because the specification, while enabling for the various specific compounds recited, allegedly does not reasonably provide enablement for prodrugs of 5-fluorouracil or 5-fluorouridine. In response, and without conceding to this rejection, the claims have been limited to the specific compounds recited in dependent claims. No new matter is entered.

Withdrawal of this rejection is respectfully requested.

Claims 20, 22, 24 and 25 stand rejected under 35 U.S.C. §112, first paragraph, because the specification, while being enabling for methods involving certain specific uridine phosphorylase inhibitors, cytidine deaminase inhibitors, nucleoside transport inhibitors, enhancers of hematopoiesis, and enhancers of uptake and phosphorylation of nucleosides, such as those recited in instant claims 19, 21, and 23, allegedly does not reasonably provide enablement for methods involving administering all possible compounds of these types. In response, and without conceding to this rejection, the claims have been limited to the specific compounds recited in claims 19, 21 and 23. Basis for the compounds listed in amended claim 22 appears at page 35, lines 5-10, and basis for the compounds listed in amended claim 24 appears at page 36, lines 21-22. No new matter is entered.

Withdrawal of this rejection is respectfully requested.

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II. THE 35 U.S.C. §112, SECOND PARAGRAPH, REJECTION

Claims 1, 3-10, 14-16, 18 and 20-25 stand rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite in light of the reference in the claims to a pyrimidine nucleoside analog. In response, and without conceding to this rejection, the claims have been amended to recite specific analog and derivative compounds.

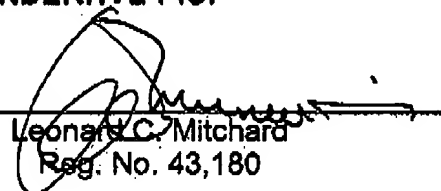
Withdrawal of the rejection is respectfully requested.

Favorable action is requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: \_\_\_\_\_

  
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